

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Rodney Terryanor Coleman

Docket No. 4:05-CR-7-1H

Petition for Action on Supervised Release

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Rodney Terryanor Coleman, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge on March 7, 2006, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

Rodney Terryanor Coleman was released from custody on November 29, 2013, at which time the term of supervised release commenced.

A Petition for Action on Supervised Release was submitted on July 23, 2014, advising that the defendant failed to comply with the court ordered payment plan of \$100 per month. Accordingly, on July 29, 2014, this court agreed to reduce his payments to \$30 per month beginning August 15, 2014. At this time, he is in monetary compliance and his remaining balance is \$25.

Additionally, a Violation Report was submitted on January 12, 2015, advising the court that the defendant submitted to a urinalysis test on December 16, 2014, which tested positive for marijuana. On January 14, 2015, this court agreed to hold the positive urinalysis in abeyance and allow the defendant to continue with mental health and substance abuse treatment at Port Human Services in Kinston, North Carolina, and to extend his participation in the Surprise Urinalysis Program for an additional six months.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOW:**

The defendant submitted to a urine test on January 26, 2015, which tested positive for marijuana. Upon being confronted about the positive test, the defendant acknowledged his drug use and confessed that he had been using marijuana as a coping mechanism. Since that time, Maegan Roberson, his counselor at Port Human Services, confirmed that the defendant participated in and completed multiple group substance abuse sessions to address his marijuana use. She confirmed that Port Human Services also monitors his medication compliance.

As a result of the two positive urine tests and the defendant's continued compliance in substance abuse treatment specifically targeted at his substance abuse issue, a condition which would provide an immediate consequence and deterrent to further drug use is recommended.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ David W. Leake
David W. Leake
U.S. Probation Officer
2 Princess Street Suite 308
Wilmington, NC 28401-3958
Phone: 910-346-5109
Executed On: April 10, 2015

ORDER OF THE COURT

Considered and ordered this 13th day of April, 2015 and ordered filed and made a part of the records in the above case.

Malcolm J. Howard
Malcolm J. Howard
Senior U.S. District Judge